

**AFFIDAVIT**

I, Patrick Burns, being duly sworn, state as follows:

1. I am employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"), and have been so employed since April, 2000. During the course of my law enforcement career, I have investigated over fifty cases involving felons possessing firearms illegally. I have also attended ATF training courses pertaining to firearms violations, including thirteen weeks of training at the Federal Law Enforcement Training Center. I am a Certified Explosives Specialist. I am currently assigned to ATF's Springfield, Massachusetts, office. As a Special Agent, I am responsible for investigations involving illegal activity related to firearms and explosives, including the manufacture and shipment of firearms and explosives by convicted felons.

2. I am working on this case with other ATF Special Agents, a United States Postal Inspector and agents of the Federal Bureau of Investigation.

3. I am making this affidavit in support of the government's response to Michael Crooker's additional motions to suppress evidence.

4. On June 23, 2004, Michael Crooker was arrested and his automobile was searched by Agawam Police Department Officer Eric Camerlin, pursuant to the Agawam Police Department's "Automobile Custody Inventory Search Procedure." A copy of the procedure is annexed hereto as Exhibit A.

5. According to Officer Camerlin, whom I understand will be available to testify at an evidentiary hearing, he was assigned to conduct an inventory of Mr. Crooker's car. Officer Camerlin's report, which is annexed hereto as Exhibit B, explains that he suspended the inventory search after he discovered what appeared to be an explosive device in the trunk.

While checking the contents of the trunk, I came across a white plastic bag which contained a single cardboard tube approx 1ft in length, 3" diameter with what appeared to be a fuse sticking out of the middle. The ends of the tube were sealed with what appeared to be wax. I informed Lt. Draghetti what I had found and ATF was notified and arranged for removal and disposal of the explosive device. The inventory of the vehicle was suspended at that time and the area was sealed off.

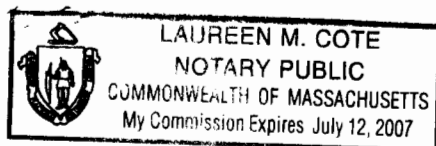
6. A copy of Officer Camerlin's "Police Tow Form" listing the contents of Mr. Crooker's car that he inventoried prior to ending the inventory search is attached hereto as Exhibit C.

7. I was the ATF agent who was notified by Lt. Draghetti after Officer Camerlin discovered what appeared to be an improvised explosive device ("IED") in the trunk of Mr. Crooker's car. I notified ATF Explosives Enforcement Officer Roy House, who is specially trained in the handling of explosives, about the IED. On the same day, Officer House took custody of the IED and rendered it safe.

  
Special Agent Patrick Burns  
Bureau of Alcohol, Tobacco,  
Firearms & Explosives

Sworn to before me  
on March 7, 2006

  
Notary Public



**MASSACHUSETTS JURAT**

Gov. Exec. Ord. #455 (03-13), §5(e)

Commonwealth of Massachusetts  
County of Hampden } ss.  
On this the 7th day of March, 2006, before me,  
Laureen M. Cote, the undersigned Notary Public,  
Name of Notary Public  
personally appeared Patrick Buens,  
Name(s) of Signer(s)  
proved to me through satisfactory evidence of identity, which was/were  
personally known,  
Description of Evidence of Identity

to be the person(s) whose name(s) was/were  
signed on the preceding or attached document  
in my presence, and who swore or affirmed to  
me that the contents of the document are  
truthful and accurate to the best of his/her/their  
knowledge and belief.

Laureen M. Cote  
Signature of Notary Public

Laureen M. Cote  
Printed Name of Notary

Place Notary Seal and/or Any Stamp Above

My Commission Expires

7/12/07

**OPTIONAL**

*Although the information in this section is not required by law, it may prove valuable to persons  
relying on the document and could prevent fraudulent removal and reattachment of this form to  
another document.*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

Right Thumbprint  
of Signer

Top of thumb here



ROBERT D. CAMPBELL  
Chief of Police

## AGAWAM POLICE DEPARTMENT

681 Springfield Street, Feeding Hills, MA 01030  
Telephone - (413) 786-4767 or 786-0400 - Ext. 260 | FAX (413) 786-4821


### AUTOMOBILE CUSTODY INVENTORY SEARCH PROCEDURE EFFECTIVE 12/21/99

When a motor vehicle is ordered towed or comes into the custody of the Agawam Police Department, the following procedure will take place.

- A. An approved departmental tow sheet will be filled out in a proper manner, indicating all required information. The incident will also be logged in the daily log.
- B. The officer is to inventory the contents of the motor vehicle in a care taking function. The contents of the trunk and any compartments are to be inventoried if they are unlocked or if the key is available with the vehicle. If the compartments or trunk are locked and a key is not available, a notation will be made on the tow sheet. The contents of any unlocked containers located within the vehicle shall also be inventoried. If the containers are locked, a notation shall be made on the tow sheet. In the event that the key to the locked container is located within the vehicle, the contents of that container shall be inventoried.

The purpose of this section is threefold:

1. The protection of personal property which may be in the automobile.
2. The protection of the police against claims arising from property allegedly lost or stolen while the automobile is in police custody.
3. The protection of the police from possible danger.

  
Robert D. Campbell  
Chief of Police

/fm

A

2013 78101

AGAWAM POLICE DEPARTMENT

## NARRATIVE FOR PATROLMAN ERIC E CAMERLIN

Ref: 04-588-OF

On 06-23-04 I was assigned to car 103 covering districts 2 and 3 on the 8-4pm shift. While assisting at a car stop and subsequent arrest of Crooker, I was assigned to perform an inventory of the above noted mv prior to it being towed per department policy. Due to the heavy traffic flow and safety concerns at the scene, the mv was towed back to hq where the inventory could be completed.

While checking the contents of the trunk, I came across a white plastic bag which contained a single cardboard tube approx 1ft in length, 3" diameter with what appeared to be a fuse sticking out of the middle. The ends of the tube were sealed with what appeared to be wax. I informed Lt. Draghetti what I had found and ATF was notified and arranged for removal and disposal of the explosive device. The inventory of the vehicle was suspended at that time and the area was sealed off.

*Pt. E. Camerlin*

B



SCOTT GRIMALDI

9/17/74

1557875

25'S



# Agawam Police Department Police Tow Form



Reason Towed: <u>ARREST</u>	Officers: <u>A.T.F. - A.P.D.</u>	Case #: <u>04-588-0F/04-254-A</u>
Traffic Violation <input type="checkbox"/>	Abandoned <input type="checkbox"/>	Stolen <input type="checkbox"/>
Town Ordinance <input type="checkbox"/>	Unregistered <input type="checkbox"/>	Arrest <input checked="" type="checkbox"/>
Police Hold <input type="checkbox"/>	Evidence <input type="checkbox"/>	Other <input type="checkbox"/>
		Snow Removal <input type="checkbox"/>
		Accident <input type="checkbox"/>

Date: 06-23-04 Time: 12:21 <sup>am</sup> pm Towed From: SPFLD ST / MILL ST

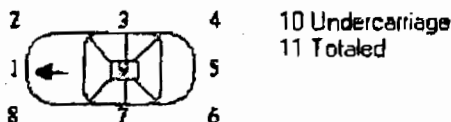
Reg#: 8028NV State: MA Year:        Make: DODGE Model: INTREPID Color: WHITE

VIN#: 5KTWS13194F151673

## TOW COMPANIES

Advanced Towing ☐ Expo Towing ☐  
Sarat Towing ☐ Ace Towing ☐  
Langeton Towing ☒ Other: ☐  
Sleeh Towing ☐

Circle damage part of vehicle  
on picture



Name & Address of Owner:

MICHAEL CROOKER  
1162 SPRINGFIELD ST Apt 29  
FEEDING HILLS, MA. 01030

Exterior Damage/Recovery Damage

Name of Operator:

- SAME -

TRUNK - TOOL BOX, CASE w/ CLOTHES (WOMAN'S)  
FIRE EXTINGUISHER, BLUE GUN  
10 NEEDLES & BOTTLES OF LIQUID  
KNIFE

Interior Vehicle Inventory- Departmental policy requires a detail inventory of the vehicle being towed.

GLOVE BOX - PAPERS, DOOR OPENER, TAPE, AIR GUAGE, PAPER CUTTER, LAMINATOR OR  
BINOCULARS, CNTR CONSOLE-10 CREDIT CARDS, LIP BALM, MEDICATION, KEY, EYE DROPS  
DOOR STORAGE - CELL PHONE CHARGER, RADAR DETECTOR, ① UMBRELLA, 1 SHEET  
SIPHON HOSE, 1 FULL (5 GALLON GAS JUG) 14 EMPTY GAS JUGS (5 GAL) TOOL BOX

Was Owner ☐ Operator ☐ notified of tow: by letter ☐ Date:        Time:        am  
at scene        pm

White Form- Police Dept. Copy  
Yellow Form- Towing Co. Copy